

**Minutes
Windsor Town Council Meeting
Town Hall
July 14, 2009**

The Windsor Town Council met in regular session on July 14, 2009 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He said that this is the Town's first meeting of the new fiscal year. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Terry Whitehead, Deputy Town Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Sergeant Arlis Reynolds, Michael Stallings, Assistant Town Manager/Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present: William L. Jones
Durwood V. Scott
Greg Willis
Carita J. Richardson

Council members absent: Wesley F. Garris
J. Clinton Bryant

Mayor Crocker asked Councilwoman Richardson to give the invocation, and she did.

Delegations, Public Comments, and Citizens Concerns

Robert Beale, 201 Hidden Acres Circle, said there is a parking problem in Hidden Acres. He said he has spoken with several Council members, and they have been in the neighborhood and seen the problem. He said it seems like when he moved there in 1998, there was no street parking allowed. Mr. Beale said now it appears that the area of the street from Weaver Court to Willis Court has become a parking lot. He said it is a safety issue with children playing and people walking. He said one neighbor parks three vehicles on the street, and another neighbor parks a truck on the street. Mr. Beale said that a neighbor parks his truck in front of Mr. Beale's house, and Mr. Beale said that his neighbor claims that he does this to block the light that is in Mr. Beale's mailbox from shining into his house. Mr. Beale said the light has been on his mailbox for four years, and there has never been a problem before. He said he, and people coming to visit him, have a hard time getting in and out of his driveway. Mr. Beale said he is a small business owner, and delivery trucks can not get in and out of his driveway to deliver materials to his home. Mr. Beale said he has come before Council today to ask for help. He said he has spoken with Mr. Rowe. He said Mr. Rowe called the Virginia Department of Transportation (VDOT), and had VDOT's Mr. MacFarland Neblett call him. Mr. Beale said that Mr. Neblett said VDOT would

have to conduct a traffic study to determine whether or not VDOT should prohibit parking on these streets. Mr. Beale said he is asking, as a taxpaying citizen, and a business person, for Council to make sure that VDOT conducts this traffic study so that VDOT can find out what is needed to resolve this problem.

Mayor Crocker said he has been to Mr. Beale's home before, and it is difficult backing out of his driveway. He said if one is not careful, then one could very easily hit the vehicle parked on the street.

Carita Suiter, 107 Maple Lane, said she had requested a couple of years ago to have the trash truck come down her lane to pick up trash. She said the truck could not enter her lane because limbs were hanging to low. She said Council made arrangements for VDOT to trim limbs, which allowed the trash truck to enter her lane, and pick up the trash. Ms. Suiter said she would like to thank Council for taking care of this problem for her and her neighbors. She said she would also like to thank Council for helping get their lane paved several years also.

Ms. Suiter said she would like to ask Council for help once again. She said there is no street light at the end of Maple Lane. She said that she and her mother live alone, and it gets very dark at night. She said she would appreciate any help she can get from Council to have a street light put at the end of Maple Lane.

Consent Agenda

Mayor Crocker asked for approval of the consent agenda, which included the minutes of the June 9, 2009 Council meeting and the Treasurer's report. Councilman Scott said he recalls seeing an incorrect date in the minutes, but he did not note it. Mayor Crocker asked everyone to take a moment and look through the minutes for an incorrect date. An incorrect date was not found. Councilman Scott made a motion to approve the minutes of the June 9, 2009 Council meeting and receive the June 2009 Treasurer's Report and approve the following 2008-2009 budget transfers:

In the General Fund – transfer the sum of \$2,900 from Account Number 4-100-43000-6007, Administrative Building Maintenance into the Police Department budget, 4-100-31100.

In the Water Fund – transfer the sum of \$950 from Water Fund Account Number 4-200-42000-6007, Maintenance and Repairs, to Water Fund Account Number 4-200-42000-5110, Electric Power

Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Interim Town Manager's Report

Discussion with MacFarland Neblett, P.E., VDOT Residency Administrator

Mr. Rowe said the first item is a discussion with MacFarland Neblett, VDOT's Waverly Residency Administrator, regarding transportation matters. Mr. Neblett said that Dennis Heuer, VDOT's Hampton Roads District Administrator, sent Mayor Crocker a letter dated June 26, 2009 with regards to VDOT's Six-Year Improvement Plan meeting that was held at the Hampton Roads Planning District Commission on June 6, 2009. Mr. Neblett said the letter included a report outlining safety initiatives and recommendations for the Town of Windsor. He said the report contained safety rankings, safety measures completed by VDOT, interim recommended safety measures, and a final recommendation to work with Isle of Wight County in developing a comprehensive Access Management Study to address current and future access issues along this corridor. Mr. Neblett reviewed the various route locations and street names in the report with Council.

Council discussed safety issues and concerns regarding the six-way intersection in Windsor. Councilman Willis asked Mr. Neblett if there would be any way of limiting the left turns at the six-way intersection during the busiest portions of the day. Mr. Neblett said he would be glad to discuss Councilman Willis's idea with the District Traffic Operations Engineer, and report back to Council.

Mayor Crocker said when he addressed the Secretary of Transportation, he did not specifically ask for information about Isle of Wight County's rankings on accidents at intersections, but he found this information interesting, and quite helpful. Mayor Crocker said this Town Council and future Town Councils will continue to bring safety issues related to the six-way intersection before the Secretary of Transportation, and hopefully one day, it will get visibility, and result in a solution that will be beneficial to the safety of our citizens.

Purchase of Budgeted Police Car

Mr. Rowe said the adopted 2009-2010 Operating Budget includes the purchase of a police car. He said the procurement procedure has been followed, and a car is secured for purchasing by the Town. Mr. Rowe said although Council has already approved the purchase of this vehicle with the adoption of the 2009-2010 budget, he recommends that Council adopt a motion approving the purchase of this vehicle.

Councilwoman Richardson made a motion that Council approve the purchase and equipping of the police car that the Town Manager and Police Chief have secured through the budget and procurement process. Councilman Willis seconded.

Councilman Willis asked if any of the equipment in the old vehicle is reusable. Mr. Rowe said what can be salvaged, will be salvaged. He said the vehicle has a computer stand in it that will be recycled.

Councilman Scott asked what happened to the police equipment that was in the vehicle that is now a Planning car. Mr. Rowe said if the equipment is usable, it will be used for parts, and if it is not, it will be surplus equipment that will be disposed of through the Surplus Property Policy that Council will consider adopting at the next Council meeting.

After discussion, Mayor Crocker called for the question on the motion made and seconded to approve the purchase and equipping of the police car that the Town Manager and Police Chief have secured through the budget and procurement process. Council passed the motion unanimously as recorded on the attached chart as motion #2.

Comprehensive Spring and Fall Clean Up Report

Mr. Rowe said that Councilman Garris asked that staff provide Council with a comprehensive report on the results of the Town's spring and fall clean ups. He said that he asked Mr. Stallings and Ms. Whitehead to look at the data and do a benchmark survey of other localities. Mr. Rowe asked Mr. Stallings to give Council a summary of his findings.

Mr. Stallings said the total tonnage collected during the spring and fall clean ups was 7.56 tons. He said Ms. Whitehead did a benchmark survey of trash collection, specifically special pickups, of several localities. He said the majority of localities do conduct at least one special pickup, and of those that do conduct special pickups, about 50% do receive litter grants.

Mr. Stallings said the Town of Windsor does receive a litter grant through the Department of Environmental Quality (DEQ), for our two special pickups. He said the grant totals \$1,511, and the cost of the two special pickups is \$1,900. He said the net cost to the Town for the two special pickups is \$389.

Mr. Stallings said the Town can use the grant funds for litter prevention and recycling program implementation; he said this includes providing educational information and/or clean up days (special trash pick-ups).

Mr. Stallings said the Town does not have a recycling program. He said a survey conducted by Town staff in September of 2003, did not indicate strong community support for a recycling program. He said staff could conduct a new study to see if the level of community support for a recycling program has changed.

Mr. Stallings said he recommends that the Town continue to use the grant funds towards the fall and spring clean ups, as these pick-ups are currently the most cost effective use of the grant funds.

Vice-Mayor Jones suggested sending out flyers earlier this year to inform citizens of the special clean ups. Councilwoman Richardson agreed with Vice-Mayor Jones, and also suggested advertising the special clean ups on the Town sign a couple of weeks ahead to remind citizens. She said if the grant money was used for recycling, it wouldn't nearly cover the cost of it, because it is really expensive. She said residents would have to contribute, and with the Town's budget, there just isn't a lot of extra money. She said she feels that the special pickups are our best option at this time.

Councilman Scott said he agrees that the flyers need to be sent out sooner to inform citizens of the special clean ups.

Councilwoman Richardson said it seems like the weather is staying warmer longer, and the leaves aren't falling from the trees early like they used to. She said it may be more beneficial to the citizens to look at a later fall clean up date.

Mayor Crocker said Councilman Garriss has suggested having the fall clean up before Thanksgiving to allow citizens to have their yards cleaned up for the holidays.

Mr. Rowe said he will make sure that the date is convenient in the fall, and it is advertised before hand.

Workforce Housing Meeting

Mr. Rowe asked Mr. Stallings to update Council regarding the workforce housing meeting. Mr. Stallings said staff is working with Frank Spadea, George Phelps, and Vince Napolitano to schedule a meeting with them and the workforce housing committee. He said they would like to have a meeting to talk about workforce housing again, and how it relates to their project, and what they see happening with the piece of property they own. Mr. Stallings said he has two tentative dates for this meeting, which are July 20, 2009 and July 27, 2009. He said once we have established a date for this meeting, we will notify and invite all members of Town Council and Planning Commission to attend this meeting.

Councilwoman Richardson said she is concerned that the Town's revised subdivision ordinance is going to take almost a year, because the Town may possibly be dealing with another developer in the near future. Mr. Rowe said that is not an unusual schedule, because it is more than a subdivision ordinance. He said it is a re-work of the Town's zoning ordinance, which the Town really needs to re-work. Mr. Rowe said there was a very good discussion at the last Planning Commission meeting when the Commissioners said the zoning ordinance the

Town has now does not fit the Town's zoning needs. He said Mr. Pretlow was correct when he informed the Planning Commission that the Town's next zoning ordinance needs to be one that fits this community, and it cannot be one that is "pulled off the shelf." He said there needs to also be a lot of citizen input.

Councilwoman Richardson said it is going to take a lot of work to get the workforce housing ordinance done. She said she thinks members of Council and staff should tour at least one development with workforce housing units. She said she thinks this is a big subject, and Council needs to discuss this during a work session very soon. Council and staff continued discussion on workforce housing.

Demolition of the Structure at 11 Church Street

Mr. Rowe said Council directed staff to solicit bids for the demolition of the structure at 11 Church Street. He said bid requests were placed in the Smithfield Times, Virginian Pilot, and the Tidewater News. He said Town staff place the bid documents on the Town's website and mailed them to 35 contractors in this region. Mr. Rowe said the Town received 18 bids, and the Town staff opened the bids at 11:00 a.m. last Friday, July 10, 2009. He said the responsive low bidder for a "turn-key" job is Landworks Unlimited, LLC with a bid of \$4,772.00. Mr. Rowe said he recommends that Council approve the awarding of this contract to Landworks Unlimited, LLC in the amount of \$4,772.00.

Vice-Mayor Jones made a motion that Council approve the demolition of the structures located at 11 Church Street, and that Council authorize the Town Manager to award the contract for this demolition work to Landworks Unlimited, LLC in the amount of \$4,772.00 to be paid from this fiscal year's budgeted amount for the Space Needs Sinking Fund. Councilman Willis seconded the motion.

Councilwoman Richardson said she is very hesitant of voting on this demolition right now until we have voted on, as a Council, and discussed if that is where we are putting the new police station. She said we are in dire need of a work session to talk about this issue. Councilwoman Richardson said she would like to know exactly what all the Council members feel about the demolition. She said we have two members absent tonight, and she feels all six members should be present to make such a major decision. She said she is not in favor of voting on this issue tonight, and she would like to see it tabled.

Councilman Willis said he would like to concur. He said he would like to see that discussion fulfilled with all members of Council present. He said he supports the demolition of the house, and having this complex in one piece, but he would like to have everyone's opinion, and have everyone present to vote.

Vice-Mayor Jones said he feels like now is the time to do the demolition. He said because of the state of the economy, and everyone needing work, we may not be able to beat this bid in the future.

Mr. Rowe recommended that Council not couple this demolition to the Town's need for a new police department. He said the Town has a house at 11 Church Street that is not suitable for renting, despite the fact that it was rented before. He said as a local government, we should set the gold standard in meeting the requirements of the Building Code. He said we have had the County Building Inspector go through the house, and it does not meet the minimum housing code. He said it is Council's decision, but he is recommending that Council approve the demolition of the structures at this location because of the problems associated with the structures. He said if Council decides to keep the structures, then the Town should board up the structures and not rent the property. He said if Council decides to rent the property, then Council needs to make the investment in the structures to bring them up to the Building Code.

Mayor Crocker said he does not know if Councilman Garris has made a comment to anyone about this structure or not, but he does know the poor condition it is in. Mayor Crocker said he has been in the house, and it is not a structure that he would recommend anyone to live in.

Mr. Pretlow said he agrees with Mr. Rowe very strongly that the demolition of this structure should not be coupled with construction of a police station. He said the question is "is this house worth saving"? He said if it is not, then Council probably has gotten the cheapest price it will get to have it torn down. He said if Council waits, then the price may go up substantially. He said if Council decides not to tear it down, it needs to be boarded as required by ordinance, or repairs will have to be made to bring it up to Code.

Councilman Scott said he feels that all Council members should be present before voting on such an important issue as this.

After discussion, Mayor Crocker called for the question on the motion made and seconded to move that Council approve the demolition of the structures located at 11 Church Street, and that Council authorize the Town Manager to award the contract for this demolition work to Landworks Unlimited, LLC in the amount of \$4,772.00 to be paid from this fiscal year's budgeted amount for the Space Needs Sinking Fund. Council passed the motion three to two as recorded on the attached chart as motion #3.

Councilman Willis said he is of the opinion that the Town does not need to be in the rental business anyway. Mayor Crocker said Council engaged in a meaningful discussion.

Comprehensive Zoning Ordinance Revision Calendar

Mr. Rowe said the Town is in the process of undertaking a comprehensive revision of our zoning ordinance, to include the subdivision ordinance. He said a tentative calendar is in Council's packet. He said it is subject to change. He said Planning Commission will discuss the calendar and the process at its next meeting.

Mr. Rowe said this process will take over a year to complete, and it will provide multiple opportunities for Planning Commission, Town Council, and the public to provide input into the process.

Mr. Stallings reviewed the comprehensive zoning ordinance revision calendar with Council.

Chlorination of the Town Water System

Mr. Rowe asked Mr. Stallings to brief Council on the chlorination of the Town Water System. Mr. Stallings said the Town will chlorinate the entire water system starting Monday July 20, 2009. He said we have had several complaints about taste and odor problems, and chlorination will most likely eliminate these problems.

Mr. Stallings said Mr. Sims has contacted the Virginia Department of Health, and they suggest that municipal drinking water systems that do not routinely chlorinate do so periodically. Periodical chlorination provides disinfection for the entire water lines as well as the tanks.

Mr. Stallings said the concentration of chlorine during this process is no more than what is present in water systems that routinely chlorinate, and the Town's water will be completely safe. He said residents will notice a slight chlorine smell and taste in their tap water, which is completely normal.

Discussion of Articles Seven and Eight of the Proposed New Charter

Mr. Rowe said he has included in Council's agenda packet Articles Seven and Eight of the Proposed New Charter for Council's discussion. He said this is the boiler plate in the charter. Mr. Rowe said this completes all the sections in the proposed new charter. He said he will put this on the next agenda with all the changes for Council's consideration.

Scheduling of a Work Session

Mr. Rowe said Council discussed at the last Council meeting scheduling a Work Session for July 28, 2009, but a time was not set. He said Mayor Crocker asked that Council provide comments for topics. Mr. Rowe said he has included in the

agenda packet Councilwoman Richardson's comments for topics. He said as Council considers scheduling this work session, he recommends that Council considers everyone's summer vacation schedule. Mr. Rowe said many of the local government governing bodies in our region modify their summer meeting schedules so as to accommodate summer vacation plans. He said some local government governing bodies will either skip meeting during one of the summer months or eliminate one of their multiple meetings during one of the summer months.

After discussion regarding a date and time for scheduling a work session, Councilman Willis made a motion to schedule a work session for July 30, 2009 at 4:00 p.m., if Mayor Crocker can attend, and if Mayor Crocker cannot attend, schedule a work session for August 6, 2009 at 4:00 p.m., if all Council members can attend, and if all Council members cannot attend, the work session will be canceled. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Development of Capital Asset and Surplus Property Policies

Mr. Rowe asked Mr. Stallings to brief Council on the development of capital asset and surplus property policies. Mr. Stallings said staff is in the process of developing a capital asset and surplus property policy amendments for Council's considerations, and is planning to put both policies on Council's August agenda.

Mr. Stallings said a capital asset policy establishes how a local government will track its capital assets, and establishes a monetary threshold for determining which items are tracked for assets such as vehicles, computer equipment, buildings, and other items.

Mr. Stallings said in conjunction with the capital asset policy, the Town needs a surplus property policy, which is a policy on how the Town disposes of capital assets that have reached the end of their usable life. He said this policy will determine how we deem assets surplus, how they are disposed of, and who may purchase or bid on the items. Mr. Stallings said this is for Council's information, and requires no action.

Calendar of Events

Mr. Rowe said the calendar of events is in Council's agenda packet for Council's information. Mr. Pretlow said the Planning Commission date is showing on the calendar as July 29, 2009 and should be July 22, 2009. Mr. Stallings said he would make the correction on the calendar. Mr. Rowe asked Mr. Stallings to do an informal pole of the Commissioners, and see which date they would like to meet. Mr. Stallings said he would pole the commissioners, and inform Council of which date the Planning Commission will meet.

Police Chief's Report

Mr. Rowe said the police chief's report is before Council. He said Sergeant Reynolds had to respond to a call. Mr. Rowe said he would answer any questions Council may have regarding the report. He said he would recommend that Council receive and file this report.

Town Attorney's Report

No report.

Mayor's Report

Mayor Crocker said the Isle of Wight Board of Supervisor's action list is in the Town office for Council's review. He said he has not received any minutes from the board meetings in several months now.

Mayor Crocker said he would like to thank the town staff for the part they played in making the 4th of July celebration such a success.

Mayor Crocker asked the Deputy Clerk to read a thank you note from Nancy and Steve Ward, residents of the Town of Windsor, thanking the Mayor, Council, and staff for their participation in preparing for the 4th of July celebration. The Deputy Clerk read the thank you note.

Fire Department/Rescue Squad Committee

Councilman Willis said the rescue squad lost, Jane Griffin, President, and a fine, public servant, after a nine month fight with cancer. He said he would like to extend Council's condolences to her family. Mr. Rowe said he would draft a letter from the Mayor to be sent to her family.

Public Health & Safety/Streets Committee

Councilman Willis said a citizen approached him about the light poles still being along Lovers Lane and Shiloh Drive. He said they have been doubled poled since September almost a year ago. He said Charter and Verizon have not moved their lines yet. Councilman Willis said it is causing a visibility issue.

Vice-Mayor Jones said when the Town looks at Maple Lane regarding streetlights, maybe two streetlights should be considered.

Vice-Mayor Jones said the speed limit coming into Windsor from Blackwater Road is 55 right up to Route 258. He said maybe the Town needs to look into a reduced speed limit at that area. He said there are a few residents of the Town

that live down Blackwater Drive, and it is important for the Town to do for them also.

Councilwoman Richardson asked if the Shiloh Drive issue was passed on to Mr. Neblett. Mr. Rowe said he did pass it on to Mr. Neblett.

Mr. Rowe said that Vice-Mayor Jones had raised the question in a previous meeting about whether the Town wanted to cul-de-sac Bank Street where it intersects with Route 258. He said the number is 1810. Mr. Rowe said he asked Mr. Neblett to look into this also.

Finance Committee

No report.

Personnel Committee

No report.

Utilities/Property/Cemetery Committee

No report. Vice-Mayor Jones said the new well is progressing very well.

Park & Library Committee

No report.

Planning Commission

Mr. Stallings said the Planning and Zoning report for June is before Council. He said the Town issued eleven zoning permits and zero notices of violations issued, but there were violations taken care of through phone calls or face to face. He said for the first time, the Town had a contractor cut grass on someone's property who didn't comply with the violation notice. He said it is the property on North Court Street that is boarded up. He said they have been sent the bill, and if they don't pay the bill, a lien will go against the property.

Mr. Stallings said the next Planning Commission meeting is scheduled for July 22, 2009.

Mr. Stallings said VML nominations were done for the policy committees. He said the meeting will be July 23, 2009 in Richmond at 10:00 a.m. He said the following individuals were appointed to policy committees for the VML:

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| • Durwood Scott | Economic Development Committee |
| • Joshua Pretlow | General Law Committee |

- Rita Richardson Human Resources and Education Committee
- Greg Willis Transportation Committee
- Michael Stallings Environmental Committee

Economic Development Committee

Councilman Scott said the committee met on July 13, 2009. He said three members were absent. He said Mr. Rowe gave a report on VDOT. He said they discussed the 460 by-pass and the center turn lane. He said the sub-committee who is working on a business brochure gave a report. He said they discussed getting a consultant to help with some ideas that we may want to bring to Windsor.

Mr. Rowe said the sub-committee working on the brochure asked staff to bring back a proposed scope of service in order of magnitude.

Work Force Housing

Discussed previously.

Old or Unfinished Business

Councilman Willis asked Mr. Rowe for an update on the owners of the Burger King. Mr. Rowe said the owner was convicted, and she was told to make restitution.

Councilwoman Richardson asked if the \$100,000 that is supposed to go into the Future Development and Space Needs category was not put in the Treasurer's Reports. Mr. Rowe said it had not. He said this is a preliminary report. He said when one looks at the Comprehensive Annual Financial Report; the auditor does not treat that as a separate fund. He said it shows up in the fund balance. He said the Town will continue to account for it as a separate fund. Councilwoman Richardson asked does if this money goes into a CD. Mr. Rowe said local governments usually pool cash from different funds in order to maximize the amount of interest earned; with this pooling of cash, the local government still accounts for the money by then funds involved. Mr. Rowe continued to explain the process.

Councilwoman Richardson asked if a VDOT study should be done regarding Mr. Robert Beale's issue with parking on his street. Mr. Rowe said he had a meeting with Mr. Beale last week, and he informed Mr. Beale that VDOT regulates parking on the streets within the Town, and Mr. Beale indicated that he understood that policy. Mr. Rowe said after the meeting with Mr. Beale, he wrote and called Mr. Neblett asking VDOT to conduct a study of Mr. Beale's concerns.

Mayor Crocker asked staff to look into the streetlight request brought up by Ms. Suiter on Maple Lane. Mr. Rowe said staff will check into the streetlight request.

Councilman Jones made a motion to adjourn. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Marvin A. Crocker, Jr., Mayor

Terry Whitehead, Deputy Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date July 14, 2009

Motion #	Richardson	Garris	Jones	Bryant	Scott	Willis	M. Crocker
1	Y	A	Y	A	Y	Y	
2	Y	A	Y	A	Y	Y	
3	N	A	Y	A	N	Y	Y
4	Y	A	Y	A	Y	Y	
5	Y	A	Y	A	Y	Y	
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Windsor Town Council
July 14, 2009
Jerry Whitehead, Deputy Clerk